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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,823	10/20/2003	Akitoshi Kuroda	117529	9910
25944	7590	12/27/2004		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320				
			EXAMINER SEVER, ANDREW T	
			ART UNIT 2851	PAPER NUMBER

DATE MAILED: 12/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/687,823

Applicant(s)

KURODA, AKITOSHI

Examiner

Andrew T Sever

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

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- 1) ☒ Responsive to communication(s) filed on 16 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9 and 11-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,2,4-9 and 11-14 is/are allowed.
- 6) ☒ Claim(s) 15,16,18-22 and 24-26 is/are rejected.
- 7) ☒ Claim(s) 17 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 15, 16, 19-22, 25, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Ohishi et al. (US 6,641,267.)

Ohishi teaches in figure 1 an electronic device, comprising:

A casing (2);

A light source mounted in the casing (11a);

A discharge duct (22) in the casing and including an air intake port (22a) facing the light source and a discharge port (22b or 15) to discharge cooling air that is taken from the air intake port and that has cooled the light source; and

A discharge fan (23) mounted between the air intake port and the light source in the casing, the discharge port having an opening area smaller than that of the air intake port, a center of the discharge port being eccentric to a center of the air intake port,

The discharge duct having an opposite eccentric-side wall on a side opposite to a side where the center of the discharge port is eccentric to the center of the air intake port (Side opposite the side the line 22 is immediately touching);

The opposite eccentric-side wall having a substantially horizontal portion, the substantially horizontal portion located at an end of the discharge duct closer to the discharge port with the cooling air being discharged along the horizontal portion (there is a large horizontal portion which is clearly discernable),

The discharge fan mounted so that a direction of airflow from the discharge fan is inclined with respect to a direction of the discharge of the cooling air (as 41 indicates the direction of air flow from the discharge fan is different then that of the discharge of the cooling air from the discharge port.)

With regards to applicant's claim 16:

As can clearly be seen the side wall, the center of the discharge port, and the center of the air intake port do not lie on a common line and are therefore all eccentric relative to each other. The fan like the fan shown in applicant's figure 11 appears to direct the air towards the eccentric sidewall.

With regards to applicant's claim 19:

As can clearly be seen the opening area of the discharge port is substantially half that of the air intake port.

With regards to applicant's claim 20:

See figure 13, which depicts a louver including a plurality of blades being mounted to the discharge port.

With regards to applicant's claim 21:

The device taught by Ohishi is a projector, which includes all the optical systems/components, claimed in applicant's claimed in applicant's claim 21 (see part 11b for the modulator and the description of figure 1).

With regards to applicant's claim 22:

See the with regards to applicant's claims 16 and 21.

With regards to applicant's claim 25:

See the with regards to applicant's claims 19 and 21.

With regards to applicant's claim 26:

See the with regards to applicant's claims 20 and 21.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohishi et al. (US 6,641,267) as applied to claims 15, 16, 19-22, 25, and 26 above, and further in view of Hara et al. (US 2004/0125343.)

As described in more detail above Ohishi teaches a electronic device which among other things teaches a discharge duct for exhausting air heated by the light source. Ohishi's discharge duct teaches a rectangular lip in figure 1 instead of one having a slope, however given elsewhere Ohishi utilizes a slope for the same purpose and given that Hara teaches in figure 11 both lips and slopes interchangeable for a similar purpose to that of Ohishi it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute a slope instead of the rectangular lip (for example as is done on the opposite side of the projector of Ohishi (opposite duct)), where size of the casing would allow for it.

Allowable Subject Matter

5. Claims 1, 2, 4-9, and 11-14 are allowed.

6. Claims 17 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

Claim 1 has been amended to have the subject matter of now canceled claim 3 inserted into it and is allowable for the reasons given in the office action mailed on 7/27/2004. Claims 2, 4-9, and 11-14 are dependent on claim 1 and are allowable due to their dependency on claim 1.

Claims 17 and 23 correspond to canceled claims 3 and 10 respectively (with regards to their specific subject matter not with regards to the independent claim they are dependent on), and are indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims for the reasons claims 3 and 10 were indicated so in the office action mailed on 7/27/2004.

Response to Arguments

8. Applicant's arguments filed 10/7/2004 have been fully considered but they are not persuasive.

Applicant's arguments with regards to the new claims 15, 16, 18-22, and 24-26 have been fully considered but are not persuasive. Applicant argues that the direction of airflow of the discharge fan of Ohishi is not different then that from the discharge portion of the exhaust duct, however Ohishi clearly indicates in column 14 lines 3-65 an embodiment that is counter to this assertion, specifically Ohishi states that baffles applied at the exhaust port of the exhaust duct redirect the discharge airflow to be very different the that of all the other air flow in the discharge duct (including that from the fan which directs the air in the direction P2 which corresponds to P4 whereas the port exhaust the air in direction A.) Accordingly applicant's arguments are not found persuasive and since the new rejection was necessitated by amendment, the rejection is made final.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 2003/0179579 to Hsu et al.

US 2002/0036755 to Nakano

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10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T Sever whose telephone number is 571-272-2128. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AS

A handwritten signature in black ink, appearing to read "Judy Nguyen", is positioned above the printed name and title.

JUDY NGUYEN
SUPERVISORY PATENT EXAMINER